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9. CONVENTION BETWEEN GREAT BRITAIN AND CHINA RELATING TO
SIKKIM AND TIBET.

SIGNED AT CALCUTTA, MARCH 17, 1890.

[Ratifications exchanged at London, August 27, 1890.]

ENGLISH TEXT.

WHEREAS Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Emperor of China, are sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exist between their respective Empires; and whereas recent occurrences have tended towards a disturbance of the said relations, and it is desirable to clearly define and permanently settle certain matters connected with the boundary between Sikkim and Tibet, Her Britannic Majesty and His Majesty the Emperor of China have resolved to conclude a Convention on this subject, and have, for this purpose, named Plenipotentiaries, that is to say:

Her Majesty the Queen of Great Britain and Ireland, His Excellency the Most Honourable Henry Charles Keith Petty Fitzmaurice, G.M.S.I., G.C.M.G., G.M.I.E., Marquess of Lansdowne, Viceroy and Governor-General of India,

And His Majesty the Emperor of China, His Excellency Shêng Tai, Imperial Associate Resident in Tibet, Military Deputy Lieutenant-Governor;

Who, having met and communicated to each other their full powers, and finding those to be in proper form, have agreed upon the following Convention in eight Articles:—

ARTICLE I.

The boundary of Sikkim and Tibet shall be the crest of the mountain range separating the waters flowing into the Sikkim Teesta and its affluents from the waters flowing into the Tihetan Mochu and northwards into other rivers of Tibet. The line commences at Mount Gipmochi on the Bhutan frontier, and follows the above-mentioned water-parting to the point where it meets Nipal territory.

ARTICLE II.

It is admitted that the British Government, whose Protectorate over the Sikkim State is hereby recognized, has direct and exclusive control over the internal administration and foreign relations of that State, and except through and with the permission of the British Government, neither the Ruler of the State nor any of its officers shall have official relations of any kind, formal or informal, with any other country.

ARTICLE III.

The Government of Great Britain and Ireland and the Government of China engage reciprocally to respect the boundary as defined in Article I, and to prevent acts of aggression from their respective sides of the frontier.

ARTICLE IV.

The question of providing increased facilities for trade across the Sikkim-Tibet frontier will hereafter be discussed with a view to a mutually satisfactory arrangement by the High Contracting Powers.

ARTICLE V.

The question of pasturage on the Sikkim side of the frontier is reserved for further examination and future adjustment.

ARTICLE VI.

The High Contracting Powers reserve for discussion and arrangement the method in which official communications between the British authorities in India and the authorities in Tibet shall be conducted.

ARTICLE VII.

Two joint Commissioners shall, within six months from the ratification of this Convention, be appointed, one by the British Government in India, the other by the Chinese Resident in Tibet. The said Commissioners shall meet and discuss the questions which, by the last three preceding Articles, have been reserved.

ARTICLE VIII.

The present Convention shall be ratified, and the ratifications shall be exchanged in London as soon as possible after the date of the signature thereof.

It witness whereof the respective negotiators have signed the same, and affixed thereunto the seals of their arms.

Done in quadruplicate at Calcutta, this 17th day of March, in the year of our Lord 1890, corresponding with the Chinese date, the 27th day of the second moon of the 16th year of Kuang Hsu.

(L.S.)

(Signed)

LANDSDOWNE.

(L.S.)

Signature of the Chinese Plenipotentiary.

No. 302-B.

3. GOVERNMENT OF INDIA.

FOREIGN DEPARTMENT.

NOTIFICATION.

Fort William, the 9th February, 1894.

The following is published for general information:—

Regulations regarding Trade, Communication, and Pasturage to be appended to the Sikkim-Tibet Convention of 1890.

I.—A trade-mart shall be established at Yatung on the Tibetan side of the frontier, and shall be open to all British subjects for purposes of trade from the first day of May 1894. The Government of India shall be free to send officers to reside at Yatung to watch the conditions of British trade at that mart.

II.—British subjects trading at Yatung shall be at liberty to travel freely to and fro between the frontier and Yatung, to reside at Yatung, and to rent houses and godowns for their own accommodation and the storage of their goods. The Chinese Government undertake that suitable buildings for the above purposes shall be provided for British subjects, and also that a special and fitting residence shall be provided for the officer or officers appointed by the Government of India under Regulation I to reside at Yatung. British subjects shall be at liberty to sell their goods to whomsoever they please, to purchase native commodities in kind or in money, to hire

transport of any kind, and in general to conduct their business transactions in conformity with local usage, and without any vexatious restrictions. Such British subjects shall receive efficient protection for their persons and property. At Lang-jo and Ta-ohun, between the frontier and Yatung, where rest-houses have been built by the Tibetan authorities, British subjects can break their journey in consideration of a daily rent.

III.—Import and export trade in the following articles—
arms, ammunition, military stores, salt, liquors, and intoxicating or narcotic drugs,
may at the option of either Government be entirely prohibited, or permitted only on such conditions as either Government on their own side may think fit to impose.

IV.—Goods, other than goods of the descriptions enumerated in Regulation III, entering Tibet from British India, across the Sikkim-Tibet frontier, or *vice versa*, whatever their origin, shall be exempt from duty for a period of five years commencing from the date of the opening of Yatung to trade; but after the expiration of this term, if found desirable, a tariff may be mutually agreed upon and enforced.

Indian tea may be imported into Tibet at a rate of duty not exceeding that at which Chinese tea is imported into England, but trade in Indian tea shall not be engaged in during the five years for which other commodities are exempt.

V.—All goods on arrival at Yatung, whether from British India or from Tibet, must be reported at the Customs Station there for examination, and the report must give full particulars of the description, quantity, and value of the goods.

VI.—In the event of trade disputes arising between British and Chinese or Tibetan subjects in Tibet, they shall be enquired into and settled in personal conference by the Political Officer for Sikkim and the Chinese Frontier Officer. The object of personal conference being to ascertain facts and do justice; where there is a divergence of views the law of the country to which the defendant belongs shall guide.

VII.—Despatches from the Government of India to the Chinese Imperial Resident in Tibet shall be handed over by the Political Officer for Sikkim to the Chinese Frontier Officer, who will forward them by special courier.

Despatches from the Chinese Imperial Resident in Tibet to the Government of India will be handed over by the Chinese Frontier Officer to the Political Officer for Sikkim, who will forward them as quickly as possible.

VIII.—Despatches between the Chinese and Indian officials must be treated with due respect, and couriers will be assisted in passing to and fro by the officers of each Government.

IX.—After the expiration of one year from the date of the opening of Yatung, such Tibetans as continue to graze their cattle in Sikkim will be subject to such Regulations as the British Government may from time to time enact for the general conduct of grazing in Sikkim. Due notice will be given of such Regulations.

GENERAL ARTICLES.

I.—In the event of disagreement between the Political Officer for Sikkim and the Chinese Frontier Officer, each official shall report the matter to his immediate superior, who, in turn, if a settlement is not arrived at between them, shall refer such matter to their respective Governments for disposal.

II.—After the lapse of five years from the date on which these Regulations shall come into force, and on six months' notice given by either party, these Regulations shall be subject to revision by Commissioners appointed on both sides for this purpose who shall be empowered to decide on and adopt such amendments and extensions as experience shall prove to be desirable.

III.—It having been stipulated that Joint Commissioners should be appointed by the British and Chinese Governments under the seventh article of the Sikkim-Tibet Convention to meet and discuss, with a view to the final settlement of the questions reserved under articles 4, 5 and 6 of the said Convention; and the Commissioners thus appointed having met and discussed the questions referred to, namely, Trade Communication and Pasturage, have been further appointed to sign the agreement in nine Regulations and three general articles now arrived at, and to declare that the said nine Regulations and the three General Articles form part of the Convention itself.

In witness whereof the respective Commissioners have hereto subscribed their names.

Done in quadruplicate at Darjeeling this 5th day of December, in the year one thousand eight hundred and ninety-three, corresponding with the Chinese date the 28th day of the 10th moon of the 19th year of Kuang Hsu.

Signed:—



HO CHANG-JUNG,
JAMES H. HART,
Chinese Commissioners.

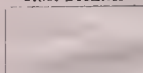


Signed:—

A. W. PAUL,
British Commissioner.
W. J. CUNINGHAM,
Offg. Secy. to the Govt. of India.

Done in quintuplicate at Lhasa, this 7th day of September in the year of our Lord one thousand nine hundred and four, corresponding with the Tibetan date, the 27th day of the seventh month of the Wood Dragon year.

Tibet Frontier



Commission.
Seal of British
Commissioner.

F. E. YOUNGHUSBAND, Col.,
British Commissioner.



Seal of the Dalai
Lama affixed by
the Ga-den
Ti-Rimpoche.



Seal of
Council.



Seal of the
Dre-pung
Monastery.



Seal of
Sera
Monastery.



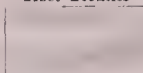
Seal of
Ga-den
Monastery.



Seal of
National
Assembly.

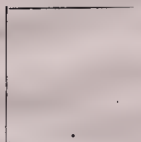
In proceeding to the signature of the Convention, dated this day, the representatives of Great Britain and Tibet declare that the English text shall be binding.

Tibet Frontier



Commission.
Seal of British
Commissioner.

F. E. YOUNGHUSBAND, Col.,
British Commissioner.



Seal of the Dalai
Lama affixed by
the Ga-den
Ti-Rimpoche.



Seal of
Council.



Seal of the
Dre-pung
Monastery.



Seal of
Sera
Monastery.



Seal of
Ga-den
Monastery.



Seal of
National
Assembly.

AMPTHILL,

Viceroy and Governor-General of India.

This Convention was ratified by the Viceroy and Governor-General of India in Council at Simla on the eleventh day of November, A.D., one thousand nine hundred and four.

S. M. FRASER,

*Secretary to the Government of India,
Foreign Department.*

Declaration signed by His Excellency the Viceroy and Governor-General of India and appended to the ratified Convention of 7th September 1904.

His Excellency the Viceroy and Governor-General of India, having ratified the Convention which was concluded at Lhasa on 7th September 1904 by Colonel Younghusband, C.I.E., British Commissioner for Tibet Frontier Matters, on behalf of His Britannic Majesty's Government; and by Losang Gyal-Tsen, the Ga-den Ti-Rimpoche, and the representatives of the Council, of the three monasteries Sera, Dre-pung, and Ga-den, and of the ecclesiastical and lay officials of the National Assembly, on behalf of the Government of Tibet, is pleased to direct as an act of grace that the sum of money which the Tibetan Government have bound themselves under the terms of Article VI of the said Convention to pay to His Majesty's Government as an indemnity for the expenses incurred by the latter in connection with the despatch of armed forces to Lhasa, be reduced from Rs. 75,00,000 to Rs. 25,00,000; and to declare that the British occupation of the Chumbi valley shall cease after the due payment of three annual instalments of the said indemnity as fixed by the said Article, provided, however, that the trade marts as stipulated in Article II of the Convention shall have been effectively opened for three years as provided in Article VI of the Convention: and that, in the meantime, the Tibetans shall have faithfully complied with the terms of the said Convention in all other respects.

AMPTHILL,

Viceroy and Governor-General of India.

This declaration was signed by the Viceroy and Governor-General of India in Council at Simla on the eleventh day of November, A.D., one thousand nine hundred and four.

S. M. FRASER,

*Secretary to the Government of India,
Foreign Department.*

3. ANNEXE.

Convention between the Governments of Great Britain and Tibet signed at Lhasa on the 7th September 1904.

Declaration signed by His Excellency the Viceroy and Governor-General of India on behalf of the British Government and appended to the ratified Convention of the 7th September 1904.

Convention between the Governments of Great Britain and Tibet.

Whereas doubts and difficulties have arisen as to the meaning and validity of the Anglo-Chinese Convention of 1890, and the Trade Regulations of 1893, and as to the liabilities of the Tibetan Government under these agreements; and whereas recent occurrences have tended towards a disturbance of the relations of friendship and good understanding which have existed between the British Government and the Government of Tibet; and whereas it is desirable to restore peace and amicable relations, and to resolve and determine the doubts and difficulties as aforesaid, the said Governments have resolved to conclude a Convention with these objects, and the following articles have been agreed upon by Colonel F. E. Younghusband, C.I.E., in virtue of full powers vested in him by His Britannic Majesty's Government and on behalf of that said Government, and Lo-Sang Gyal-Tsen, the Ga-den Ti-Rimpoche, and the representatives of the Council, of the three monasteries Se-ra, Dza-pung and Ga-den, and of the ecclesiastical and lay officials of the National Assembly on behalf of the Government of Tibet :—

I.

The Government of Tibet engages to respect the Anglo-Chinese Convention of 1890 and to recognise the frontier between Sikkim and Tibet, as defined in Article I of the said Convention, and to erect boundary pillars accordingly.

II.

The Tibetan Government undertakes to open forthwith trade marts to which all British and Tibetan subjects shall have free right of access at Gyantse and Gartok, as well as at Yatung.

The Regulations applicable to the trade mart at Yatung, under the Anglo-Chinese Agreement of 1893, shall, subject to such amendments as may hereafter be agreed upon by common consent between the British and Tibetan Governments, apply to the marts above mentioned.

In addition to establishing trade marts at the places mentioned, the Tibetan Government undertakes to place no restrictions on the trade by existing routes, and to consider the question of establishing fresh trade marts under similar conditions if development of trade requires it.

III.

The question of the amendment of the Regulations of 1893 is reserved for separate consideration, and the Tibetan Government undertakes to appoint fully authorised delegates to negotiate with representatives of the British Government as to the details of the amendments required.

IV.

The Tibetan Government undertakes to levy no dues of any kind other than those provided for in the tariff to be mutually agreed upon.

V.

The Tibetan Government undertakes to keep the roads to Gyantse and Gartok from the frontier clear of all obstruction and in a state of repair suited to the needs of the trade, and to establish at Yatung, Gyantse, and Gartok, and at each of the other trade marts that may hereafter be established, a Tibetan Agent who shall receive from the British Agent appointed to watch over British trade at the marts in question any letter which the latter may desire to send to the Tibetan or to the Chinese authorities. The Tibetan Agent shall also be responsible for the due delivery of such communications and for the transmission of replies.

VI.

As an indemnity to the British Government for the expense incurred in the despatch of armed troops to Lhasa, to exact reparation for breaches of treaty obligations, and for the insults offered to and attacks upon the British Commissioner and his following and escort, the Tibetan Government engages to pay a sum of pounds five hundred thousand—equivalent to rupees seventy-five lakhs—to the British Government.

The indemnity shall be payable at such place as the British Government may from time to time, after due notice, indicate whether in Tibet or in the British districts of Darjeeling or Jalpaiguri, in seventy-five annual instalments of rupees one lakh each on the 1st January in each year, beginning from the 1st January 1906.

VII.

As security for the payment of the abovementioned indemnity, and for the fulfilment of the provisions relative to trade marts specified in Articles II, III, IV, and V, the British Government shall continue to occupy the Chumbi Valley until the indemnity has been paid and until the trade marts have been effectively opened for three years, whichever date may be the later.

VIII.

The Tibetan Government agrees to raze all forts and fortifications and remove all armaments which might impede the course of free communication between the British frontier and the towns of Gyantse and Lhasa.

IX.

The Government of Tibet engages that, without the previous consent of British Government,—

- (a) no portion of Tibetan territory shall be ceded, sold, leased, mortgaged or otherwise given for occupation, to any Foreign Power;
- (b) no such Power shall be permitted to intervene in Tibetan affairs;
- (c) no Representatives or Agents of any Foreign Power shall be admitted to Tibet;
- (d) no concessions for railways, roads, telegraphs, mining or other rights, shall be granted to any Foreign Power, or to the subject of any Foreign Power. In the event of consent to such concessions being granted, similar or equivalent concessions shall be granted to the British Government;
- (e) no Tibetan revenues, whether in kind or in cash, shall be pledged or assigned to any Foreign Power, or to the subject of any Foreign Power.

X.

In witness whereof the negotiators have signed the same, and affixed hereto the seals of their arms.

Convention between Great Britain and China.

Whereas His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the seas, Emperor of India, and His Majesty the Emperor of China are sincerely desirous to maintain and perpetuate the relations of friendship and good understanding which now exist between their respective Empires;

And whereas the refusal of Tibet to recognise the validity of or to carry into full effect the provisions of the Anglo-Chinese Convention of March 17th, 1890, and Regulations of December 5th, 1893, placed the British Government under the necessity of taking steps to secure their rights and interests under the said Convention and Regulations;

And whereas a Convention of ten articles was signed at Lhasa on September 7th, 1904, on behalf of Great Britain and Tibet, and was ratified by the Viceroy and Governor-General of India on behalf of Great Britain on November 11th, 1904, a declaration on behalf of Great Britain modifying its terms under certain conditions being appended thereto;

His Britannic Majesty and His Majesty the Emperor of China have resolved to conclude a Convention on this subject and have for this purpose named Plenipotentiaries, that is to say:—

His Majesty the King of Great Britain and Ireland:

Sir Ernest Mason Satow, Knight Grand Cross of the Most Distinguished Order of St. Michael and St. George, His said Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of China;

and His Majesty the Emperor of China:

His Excellency Tong Shou-yi, His said Majesty's High Commissioner Plenipotentiary and a Vice-President of the Board of Foreign Affairs,

who having communicated to each other their respective full powers and finding them to be in good and due form have agreed upon and concluded the following Convention in six articles:—

ARTICLE I.

The Convention concluded on September 7th, 1904, by Great Britain and Tibet, the texts of which in English and Chinese are attached to the present Convention as an annexe, is hereby confirmed, subject to the modification stated in the declaration appended thereto, and both of the High Contracting Parties engage to take at all times such steps as may be necessary to secure the due fulfilment of the terms specified therein.

ARTICLE II.

The Government of Great Britain engages not to annex Tibetan territory or to interfere in the administration of Tibet. The Government of China also undertakes not to permit any other foreign state to interfere with the territory or internal administration of Tibet.

ARTICLE III.

The concessions which are mentioned in Article 9 (d) of the Convention concluded on September 7th, 1904, by Great Britain and Tibet are denied to any state or to the subject of any state other than China, but it has been arranged with China that at the trade marts specified in Article 2 of the aforesaid Convention Great Britain shall be entitled to lay down telegraph lines connecting with India.

ARTICLE IV.

The provisions of the Anglo-Chinese Convention of 1890 and Regulations of 1893 shall, subject to the terms of this present Convention and annexe thereto, remain in full force.

ARTICLE V.

The English and Chinese texts of the present Convention have been carefully compared and found to correspond, but in the event of there being any difference of meaning between them the English text shall be authoritative.

ARTICLE VI.

This Convention shall be ratified by the Sovereigns of both countries and ratifications shall be exchanged at London within three months after the date of signature by the Plenipotentiaries of both Powers.

In token whereof the respective Plenipotentiaries have signed and sealed this Convention, four copies in English and four in Chinese.

Done at Peking this twenty-seventh day of April, one thousand nine hundred and six, being the fourth day of the fourth month of the thirty-second year of the reign of Kuang-hsü.

(Sd.) TONG SHOA-YI.
L. S.

(Sd.) ERNEST SATOW.

Seal.

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4. TIBET TRADE REGULATIONS.

Preamble.—Whereas by Article I of the Convention between Great Britain and China on the 27th April 1906, that is the 4th day of the 4th moon of the 32nd year of Kwang Hsü, it was provided that both the High Contracting Parties should engage to take at all times such steps as might be necessary to secure the due fulfilment of the terms specified in the Lhasa Convention of 7th September 1904 between Great Britain and Tibet, the text of which in English and Chinese was attached as an Annex to the above-mentioned Convention;

And whereas it was stipulated in Article III of the said Lhasa Convention that the question of the amendment of the Tibet Trade Regulations which were signed by the British and Chinese Commissioners on the 5th day of December 1893 should be reserved for separate consideration, and whereas the amendment of these Regulations is now necessary;

His Majesty the King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of the Chinese Empire have for this purpose named as their Plenipotentiaries, that is to say:

His Majesty the King of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India,—Mr. E. C. Wilton, C.M.G.;

His Majesty the Emperor of the Chinese Empire—His Majesty's Special Commissioner Chang Yin Tang;

And the High Authorities of Tibet have named as their fully authorised Representative to act under the directions of Chang Tachen and take part in the negotiations—The Tsarong Shape, Wang Chuk Gyalpo.

And whereas Mr. E. C. Wilton and Chang Tachen have communicated to each other since their respective full powers and have found them to be in good and true form and have found the authorisation of the Tibetan Delegate to be also in good and true form, the following amended Regulations have been agreed upon:—

I.—The Trade Regulations of 1893 shall remain in force in so far as they are not inconsistent with these Regulations.

II.—The following places shall form, and be included within, the boundaries of the Gyantse mart:—

(a) The line begins at the Chumig Dangsang (Chhu-Mig-Dangs-Sangs) north-east of the Gyantse Fort, and thence it runs in a curved line, passing behind the Pekor-Chode (Dpal-Hkhor-Chos-Sde), down to Chag-Dong-Gang (Phyag-Gdong-Sgang); thence, passing straight over the Nyan Chu, it reaches the Zamsa (Zam-Srag). (b) From the Zamsa the line continues to run, in a south-eastern direction, round to Lachi-To (Gla-Dkyi-Stod), embracing all the farms on its way, *viz.*, The Lahong; The Hoptso (Hog-Mtsho); The Tong-Chung-Shi (Grong-Chhung-Gshis); and the Rahgang (Rab-Sgang), etc.; (c) From Lachi-To the line runs to the Yutog (Gyu-Thog), and thence runs straight, passing through the whole area of Gamkar-Shi (Ragal-Mkhar-Gshis), to Chumig Dangsang.

As difficulty is experienced in obtaining suitable houses and godowns at some of the marts, it is agreed that British subjects may also lease lands for the building of houses and godowns at the marts, the locality for such building sites to be marked out specially at each mart by the Chinese and Tibetan Authorities in consultation with the British Trade Agent. The British Trade Agents and British subjects shall not build houses and godowns except in such localities, and this arrangement shall not be held to prejudice in any way the administration of the Chinese and Tibetan Local Authorities over such localities, or the right of British subjects to rent houses and godowns outside such localities for their own accommodation and the storage of their goods.

British subjects desiring to lease building sites shall apply through the British Trade Agent to the Municipal Office at the mart for a permit to lease. The amount of rent, or the period or conditions of the lease, shall then be settled in a friendly way by the lessee and the owner themselves. In the event of a disagreement between the owner and lessee as to the amount of rent or the period or conditions of the lease the case will be settled by the Chinese and Tibetan Authorities in consultation with the British Trade Agent. After the lease is settled, the sites shall be verified by the Chinese and Tibetan Officers of the Municipal Office conjointly with the British Trade Agent. No building is to be commenced by the lessee on a site before the Municipal Office has issued him a permit to build, but it is agreed that there shall be no vexatious delays in the issue of such permit.

III.—The administration of the trade marts shall remain with the Tibetan Officers, under the Chinese Officers' supervision and directions.

The Trade Agents at the marts and Frontier Officers shall be of suitable rank, and shall hold personal intercourse and correspondence one with another on terms of mutual respect and friendly treatment.

Questions which cannot be decided by agreement between the Trade Agents and the Local Authorities shall be referred for settlement to the Government of India and the Tibetan High Authorities at Lhasa. The purport of a reference by the Government of India will be communicated to the Chinese Imperial Resident at Lhasa. Questions which cannot be decided by agreement between the Government of India and the Tibetan High Authorities at Lhasa shall, in accordance with the terms of Article I of the Peking Convention of 1906, be referred for settlement to the Governments of Great Britain and China.

IV.—In the event of disputes arising at the marts between British subjects and persons of Chinese and Tibetan nationalities, they shall be enquired into and settled in personal conference between the British Trade Agent at the nearest mart and the Chinese and Tibetan Authorities of the Judicial Court at the mart, the object of personal conference being to ascertain facts and to do justice. Where there is a divergence of view the law of the country to which the defendant belongs shall guide. In any of such mixed cases, the Officer, or Officers of the defendant's nationality shall preside at the trial; the Officer, or Officers of the plaintiff's country merely attending to watch the course of the trial.

All questions in regard to rights, whether of property or person, arising between British subjects, shall be subject to the jurisdiction of the British Authorities.

British subjects, who may commit any crime at the marts or on the routes to the marts, shall be handed over by the Local Authorities to the British Trade Agent at the mart nearest to the scene of offence, to be tried and punished according to the laws of India, but such British subjects shall not be subjected by the Local Authorities to any ill-usage in excess of necessary restraint.

Chinese and Tibetan subjects, who may be guilty of any criminal act towards British subjects at the marts or on the routes thereto, shall be arrested and punished by the Chinese and Tibetan Authorities according to law.

Justice shall be equitably and impartially administered on both sides.

Should it happen that Chinese or Tibetan subjects bring a criminal complaint against a British subject before the British Trade Agent, the Chinese or Tibetan Authorities shall have the right to send a representative, or representatives, to watch the course of trial in the British Trade Agent's Court. Similarly, in cases in which a British subject has reason to complain of a Chinese or Tibetan subject in the Judicial Court at the mart, the British Trade Agent shall have the right to send a representative to the Judicial Court to watch the course of trial.

V.—The Tibetan Authorities, in obedience to the instructions of the Peking Government, having a strong desire to reform the judicial system of Tibet, and to bring it into accord with that of Western nations, Great Britain agrees to relinquish her rights of extra-territoriality in Tibet, whenever such rights

are relinquished in China, and when she is satisfied that the state of the Tibetan laws and the arrangements for their administration and other considerations warrant her in so doing.

VII.—After the withdrawal of the British troops, all the rest-houses, eleven in number, built by Great Britain upon the routes leading from the Indian frontier to Gyantse, shall be taken over at original cost by China and rented to the Government of India at a fair rate. One-half of each rest-house will be reserved for the use of the British officials employed on the inspection and maintenance of the telegraph lines from the marts to the Indian frontier and for the storage of their materials, but the rest-houses shall otherwise be available for occupation by British, Chinese, and Tibetan officers of respectability who may proceed to and from the marts.

Great Britain is prepared to consider the transfer to China of the telegraph lines from the Indian frontier to Gyantse when the telegraph lines from China reach that mart and in the meantime Chinese and Tibetan messages will be duly received and transmitted by the line constructed by the Government of India.

In the meantime China shall be responsible for the due protection of the telegraph lines from the marts to the Indian frontier and it is agreed that all persons damaging the lines or interfering in any way with them or with the officials engaged in the inspection or maintenance thereof shall at once be severely punished by the Local Authorities.

VII.—In law suits involving cases of debt on account of loans, commercial failure, and bankruptcy, the authorities concerned shall grant a hearing and take steps necessary to enforce payment; but, if the debtor plead poverty and be without means, the authorities concerned shall not be held responsible for the said debts, nor shall any public or official property be distrained upon in order to satisfy these debts.

VIII.—The British Trade Agents at the various trade marts now or hereafter to be established in Tibet may make arrangements for the carriage and transmission of their posts to and from the frontier of India. The couriers employed in conveying these posts shall receive all possible assistance from the Local Authorities whose districts they traverse and shall be accorded the same protection as the persons employed in carrying the despatches of the Tibetan Authorities. When efficient arrangements have been made by China in Tibet for a Postal Service, the question of the abolition of the Trade Agents' couriers will be taken into consideration by Great Britain and China. No restrictions whatever shall be placed on the employment by British officers and traders of Chinese and Tibetan subjects in any lawful capacity. The persons so employed shall not be exposed to any kind of molestation or suffer any loss of civil rights to which they may be entitled as Tibetan subjects, but they shall not be exempted from all lawful taxation. If they be guilty of any criminal act, they shall be dealt with by the Local Authorities according to law without any attempt on the part of their employer to screen or conceal them.

IX.—British officers and subjects, as well as goods, proceeding to the trade marts, must adhere to the trade routes from the frontier of India. They shall not, without permission, proceed beyond the marts, or to Gartok from Yatung and Gyantse, or from Gartok to Yatung and Gyantse, by any route through the interior of Tibet, but natives of the Indian frontier, who have already by usage traded and resided in Tibet, elsewhere than at the marts shall be at liberty to continue their trade, in accordance with the existing practice, but when so trading or residing they shall remain, as heretofore, amenable to the local jurisdiction.

X.—In cases where officials or traders, *en route* to and from India or Tibet are robbed of treasure or merchandise, public or private, they shall forthwith report to the Police officers, who shall take immediate measures to arrest the robbers, and hand them to the Local Authorities. The Local Authorities shall bring them to instant trial, and shall also recover and restore the stolen

property. But, if the robbers flee to places out of the jurisdiction and influence of Tibet, and cannot be arrested, the Police and the Local Authorities shall not be held responsible for such losses.

XI.—For public safety tanks or stores of kerosene oil or any other combustible or dangerous articles in bulk must be placed far away from inhabited places at the marts.

British or Indian merchants, wishing to build such tanks or stores, may not do so until, as provided in Regulation II, they have made application for a suitable site.

XII.—British subjects shall be at liberty to deal in kind or in money, to sell their goods to whomsoever they please, to purchase native commodities from whomsoever they please, to hire transport of any kind, and to conduct in general their business transactions in conformity with local usage and without any vexatious restrictions or oppressive exactions whatever.

It being the duty of the Police and Local Authorities to afford efficient protection at all times to the persons and property of the British subjects at the marts, and along the routes to the marts, China engages to arrange effective police measures at the marts and along the routes to the marts. On due fulfilment of these arrangements, Great Britain undertakes to withdraw the Trade Agents' guards at the marts and to station no troops in Tibet so as to remove all cause for suspicion and disturbance among the inhabitants. The Chinese Authorities will not prevent the British Trade Agents holding personal intercourse and correspondence with the Tibetan officers and people.

Tibetan subjects trading, travelling or residing in India shall receive equal advantages to those accorded by this Regulation to British subjects in Tibet.

XIII.—The present Regulations shall be in force for a period of ten years reckoned from the date of signature by the two Plenipotentiaries as well as by the Tibetan Delegate; but if no demand for revision be made on either side within six months after the end of the first ten years, then the Regulations shall remain in force for another ten years, from the end of the first ten years; and so it shall be at the end of each successive ten years.

XIV.—The English, Chinese, and Tibetan texts of the present Regulations have been carefully compared, and, in the event of any question arising as to the interpretation of these Regulations, the sense as expressed in the English text shall be held to be the correct sense.

XV.—The Ratifications of the present Regulations under the hand of His Majesty the King of Great Britain and Ireland, and of His Majesty the Emperor of the Chinese Empire, respectively, shall be exchanged at London and Peking within six months from the date of signature.

In witness whereof the two Plenipotentiaries and the Tibetan Delegate have signed and sealed the present Regulations.

Done in quadruplicate at Calcutta, this twentieth day of April, in the year of our Lord nineteen hundred and eight, corresponding with the Chinese date, the twentieth day of the third moon of the thirty-fourth year of Kuang Hsi.

Signature of
L. S. Chang Yin Tang,
Chinese Special Commissioner.



E. C. WILTON,
British Commissioner.

Signature of
L. S. Wang Chuk Gyalpo,
Tibetan Delegate.

